

VALUE OF WRITTEN PROTEST

Briefly outlined below are the levels of protest which require the Executive Officer, through delegation of responsibility, to call an election or terminate proceedings.

At the conclusion of the protest period, the written protest received will be counted, and one of the following actions will be taken:

1. For **uninhabited** annexations (defined in Government Code Section 56046 as those annexations which contain less than 12 registered voters):
 - (a) Terminate the annexation if protest is received from landowners who represent 50% or more of the assessed value of land (improvement values are not counted) within the annexation area; or
 - (b) Approve the annexation if written protest is submitted by landowners who own less than 50% of the assessed value of the annexation area.

NOTE: In uninhabited annexations, the issue is decided solely on the basis of landowner protest.

2. For **inhabited** annexations (those annexations which contain 12 or more registered voters):
 - (a) Terminate the annexation if protest is received from 50% or more of the registered voters in the annexation area;
 - (b) Call an election on the annexation issue if protest is received from at least 25% but less than 50% of the total number of voters in the annexation area, or if 25% to 100% of the number of landowners--representing at least 25% of the total land value--submit written protest; or,
 - (c) Approve the annexation without an election if written protest is received from less than 25% of the voters and less than 25% of the landowners (who represent less than 25% of the land value).

NOTE: Although both landowners and registered voters may submit a protest against annexation, the ultimate outcome of an inhabited annexation is decided on the basis of registered voter protest or votes in a special annexation election. Thus, the most that can be accomplished through landowner protest in an inhabited annexation is the scheduling of an election wherein the voters--whether they own land or not--will decide the issue.

Further information concerning the annexation protest procedures can be obtained through review of the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.). Specifically, Sections 57025, 57051, and 57075 will be the most relevant to your review.

(A complete copy of the Commission's written protest information sheet is on file in the LAFCO staff office.)